

KAPLAN LAW GROUP  
BRITTANY A. KAPLAN, ESQ.  
Nevada Bar No. 13663  
Email: [brittany@kaplanlawgroup.com](mailto:brittany@kaplanlawgroup.com)  
KORY L. KAPLAN, ESQ.  
Nevada Bar No. 13164  
Email: [kory@kaplanlawgroup.com](mailto:kory@kaplanlawgroup.com)  
10091 Park Run Drive, Suite 190  
Las Vegas, Nevada 89145  
Telephone: (702) 381-8888  
Facsimile: (702) 832-5559  
*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

KIRK MAYEDA,  
Plaintiff,

VS.

SMITH'S FOOD & DRUG CENTERS, INC.  
a/k/a KROGER, a Foreign Corporation;  
SECURITAS SECURITY SERVICES USA,  
INC., a Foreign Corporation; DOE EMPLOYEE;  
DOES I-X; ROE ENTITIES I-X, inclusive,

### Defendants.

CASE NO. 2:24-cv-01733-CDS-EJY

## **PROPOSED DISCOVERY PLAN AND SCHEDULING ORDER**

On February 24, 2025, undersigned counsel for Plaintiff Kirk Mayeda, for Defendant Smith's Food & Drug Center, Inc. a/k/a Kroger ("Smith's), and for Defendant Securitas Security Services USA, Inc. ("Securitas") conferred in accordance with Fed. R. Civ. P. 26(f). Plaintiff filed his First Amended Complaint on December 18, 2024. Defendant Smith's filed its Answer on December 26, 2024. Defendant Securitas filed its Answer on February 5, 2025. A Stipulation and Order to Extend Discovery (First Request) was granted on January 7, 2025, extending discovery deadlines by 60 days. A Discovery Plan and Scheduling Order was entered on February 10, 2025 between Plaintiff and Defendant Smith's while waiting on the appearance and scheduling of the Fed. R. Civ. P. 26(f) conference with Defendant Securitas. As Defendant Securitas has just appeared in this action, good cause exists to give the parties an additional 60 days to complete discovery as Defendant Securitas just filed its appearance in the case. The undersigned hereby

1 submit the following Proposed Discovery Plan and Scheduling Order required by Fed. R. Civ. P.  
2 26(f).

3 **Proposed Deadline for Amending Pleadings and Joining Additional Parties.**

4 The parties agree that a reasonable deadline for amending pleadings and joining additional  
5 parties is June 13, 2025.

6 **1. Magistrate.**

7 The parties have conferred and do not consent to a trial by a magistrate judge or the use of  
8 the Short Trial Program.

9 **2. Proposed Discovery Plan.**

10 a. **Initial Disclosures.** Defendant Smith's provided its initial disclosures to  
11 Plaintiff on October 31, 2024. Plaintiff provided his initial disclosures to Defendant Smith's on  
12 October 22, 2024. Defendant Smith's and Plaintiff will provide their initial disclosures to  
13 Defendant Securitas by March 6, 2025. Defendant Securitas will provide its initial disclosures by  
14 March 6, 2025.

15 b. **Subjects and potential phasing of Discovery.** The parties anticipate  
16 conducting discovery in this action regarding: (1) the claims and allegations in Plaintiff's  
17 Complaint; (2) Defendant's affirmative and other defenses thereto; and (3) expert witnesses  
18 identified by the parties. Specifically, each party intends to pursue discovery related to the subject  
19 incident and injuries to Plaintiff. The parties do not propose phasing discovery.

20 c. **Electronically stored information.** No issues at this time. The parties will  
21 meet and confer should any issues arise prior to involving the Court.

22 d. **Privilege issues.** None at this time.

23 e. **Proposed limitations on discovery.** None at this time.

24 f. **Discovery related orders.** A Stipulation and Order to Extend Discovery  
25 (First Request) was granted on January 7, 2025. A Discovery Plan and Scheduling Order between  
26 Plaintiff and Defendant Smith's was entered on February 10, 2025.

27 g. **Expert related discovery.** Per LCR 26(b)(3), expert disclosures will be  
28 made by July 14, 2025, and rebuttal experts will be disclosed by August 13, 2025.

1           **3. Proposals for prompt case resolution.** The parties believe the case may be  
2 resolved after some initial discovery.

3           a.       **Alternative dispute resolutions.** The parties have conferred and discussed  
4 settlement and agree to revisit the issue after some discovery has been conducted.

5           b.       **Related cases.** None.

6           c.       **Discovery management.** The parties believe they can cooperate in the  
7 management of discovery.

8           d.       **Preservation of discoverable information.** No issues at this time.

9           **4. Date by which discovery can be completed.** September 12, 2025.

10          **5. Dispositive motion deadline.** October 13, 2025.

11          **6. Joint pretrial order deadline.** November 12, 2025, or in the event that the Parties  
12 file dispositive motions, the date for filing the joint pretrial order shall be suspended until thirty  
13 (30) days after decision on the dispositive motions or further order of the Court. The disclosure  
14 required by Federal Rule of Civil Procedure 26(a)(3) and objections thereto shall be made in the  
15 pre-trial order.

16          **7. Extension of Discovery Deadline:** Requests to extend the discovery shall comply  
17 with Federal Rule of Civil Procedure 16 and LR 26-3.

18          **8. Discovery Phasing.** None.

19          **9. Scheduling Conference.** The parties agree that there is no need for a scheduling  
20 conference prior to a scheduling order being issued in this case.

21          ...

22          ...

23          ...

24          ...

25          ...

26          ...

27          ...

28          ...

**10. Electronic Service:** The parties have agreed that, to the extent possible in light of the volume of the submission, all court filings, to the extent not served through ECF (e.g., filings under seal), may be served via e-mail, and such service shall constitute proper service under Fed. R. Civ. P. 5(b)(2)(E). The parties have further agreed that each party may serve discovery, in lieu of other service methods, by e-mail under Fed. R. Civ. P. 5(b)(2)(E) on all counsel who have entered an appearance on behalf of the party to be served.

Dated this 28th day of February, 2025

KAPLAN LAW GROUP

By: /s/ Brittany A. Kaplan, Esq.

BRITTANY A. KAPLAN, ESQ.  
Nevada Bar No. 13663  
10091 Park Run Drive, Suite 190  
Las Vegas, Nevada 89145  
*Attorneys for Plaintiff*

AND

## COOPER LEVENSON, P.A.

By: /s/ Scott L. Stonehocker, Esq.

SCOTT L. STONEHOCKER, ESQ.  
Nevada Bar No. 005512  
3016 West Charleston Boulevard #195  
Las Vegas, NV 89102  
*Attorneys for Defendant Smith's Food & Drug  
Centers, Inc. a/k/a Kroger*

## IT IS SO ORDERED.

**U.S. MAGISTRATE JUDGE**

Date: February 28, 2025

AND

SPRINGEL & FINK LLP

By: /s/ Nakesha Duncan-Perez, Esq.

LEONARD T. FINK, ESQ.  
Nevada Bar No. 6296  
NAKESHA DUNCAN-PER  
Nevada Bar No. 11556  
9075 W. Diablo Drive, Suite  
Las Vegas, NV 89148  
*Attorneys for Defendant Sec  
Services USA, Inc.*